

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GUCCI AMERICA, INC.,

Plaintiff,

-against-

GUESS?, INC., MARC FISHER FOOTWEAR LLC, THE MAX LEATHER GROUP/CIPRIANI ACCESSORIES, INC., SEQUEL AG, K&M ASSOCIATES L.P., VIVA OPTIQUE, INC., SIGNAL PRODUCTS, INC. and SWANK, INC.,

Defendants.

Civil Action No. 09cv4373  
(SAS)(JLC)

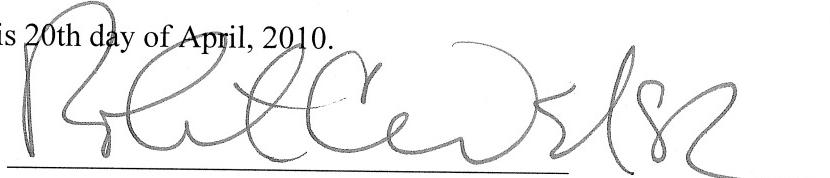
**SUPPLEMENTAL DECLARATION OF  
ROBERT C. WELSH IN SUPPORT OF  
GUESS?, INC.'S OPPOSITION TO  
PLAINTIFF GUCCI AMERICA, INC.'S  
MOTION FOR A PROTECTIVE ORDER  
AGAINST THE DISCLOSURE OF THE  
PRIVILEGED COMMUNICATIONS OF  
PLAINTIFF'S IN-HOUSE LEGAL  
COUNSEL JONATHAN MOSS**

ROBERT C. WELSH hereby declares as follows under penalty of perjury:

1. I am a partner in the law firm of O'Melveny & Myers, LLP, counsel to defendant Guess, Inc? in this action. I submit this supplemental declaration in opposition to plaintiff Gucci America, Inc.'s motion for a protective order against the disclosure of communications with plaintiff's in-house counsel Jonathan Moss. All of the facts set forth herein are known to me personally, and if called as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit A are copies of the front side of membership cards from the State Bar of California for the years 2002 and 2010. A call to the State Bar of California will confirm that the cards issued to bar members on inactive status also contain the language "Only active members are entitled to practice law."

Declared under penalty of perjury this 20th day of April, 2010.



ROBERT C. WELSH

# **EXHIBIT A**

THE STATE BAR OF CALIFORNIA



This certifies that the person whose name appears on this card has paid the annual fee required by statute.

Only active members are entitled to practice law.

Judy Blaser  
Executive Director / Secretary



THE STATE BAR OF CALIFORNIA

**MCLE GROUP 1**

PRESERVE AND IMPROVE OUR JUSTICE SYSTEM  
IN ORDER TO ASSURE A FREE AND JUST SOCIETY UNDER LAW.  
Only active members are entitled to practice law.

**ACTIVE**

*Judy Johnson*

Executive Director / Secretary